

**RECEIVED**  
**CENTRAL FAX CENTER**

MAR 13 2007

# WOOD, HERRON & EVANS, L.L.P.

BRUCE TITTEL  
 DAVID S. STALLARD  
 J. ROBERT CHAMBERS  
 GREGORY J. LUNN  
 KURT L. GROSSMAN  
 CLEMENT H. LUKEN, JR.  
 THOMAS J. BURGER  
 GREGORY F. AHRENS  
 WAYNE L. JACOBS  
 KURT A. SUMME  
 KEVIN G. ROONEY  
 KEITH R. HAUPT  
 THEODORE R. REMAKLUS  
 THOMAS W. HUMPHREY  
 SCOTT A. STINEBRUNER  
 DAVID H. BRINKMAN  
 BEVERLY A. LYMAN, PH.D.  
 KRISTI L. DAVIDSON  
 KATHRYN E. SMITH  
 P. ANDREW BLATT, PH.D.  
 DAVID E. JEFFERIES  
 J. DWIGHT POFFENBERGER, JR.  
 WILLIAM R. ALLEN, PH.D.

OF COUNSEL  
 JOHN D. POFFENBERGER  
 DAVID J. JOSEPHIC  
 DONALD F. FREI  
 THOMAS W. FLYNN  
 BRADLEY D. BECK

2700 CAREW TOWER  
 441 VINE STREET  
 CINCINNATI, OHIO 45202-2917

TELEPHONE: 513-241-2324

FACSIMILE: 513-241-6234

WEBSITE: www.whetpatent.com

PATENT, TRADEMARK, COPYRIGHT  
 AND UNFAIR COMPETITION LAW  
 AND RELATED LITIGATION

EDMUND P. WOOD 1823-1968  
 TRUMAN A. HERRON 1935-1976  
 EDWARD B. EVANS 1936-1971

JOSEPH R. JORDAN  
 C. RICHARD EBY

JOHN PAUL DAVIS  
 DOUGLAS A. SCHOLER  
 BRETT A. SCHATZ  
 DAVID W. DORTON  
 SARAH OTTE GRABER  
 STEVEN W. BENINTENDI, PH.D.  
 RANDALL S. JACKSON, JR.  
 CARL J. BRAUCH  
 ADAM R. WEEKS  
 KENT A. FAGEN, PH.D.  
 CHARLES R. FIGER, JR.

TECHNICAL ADVISORS  
 HENRY M. LABODA, PH.D.  
 MICHAEL H. SCHENKER

March 13, 2007

## FACSIMILE COVER SHEET

To: Examiner Adnan M. Mirza  
 Group Unit No. 2145  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Fax: 571-273-8300

From: Thomas W. Humphrey

Re: Our File: IBM-188  
 US Application Serial No. 09/871,929  
 Filed June 1, 2001  
 PERVASIVE, DISTRIBUTED  
 PROVISION OF SERVICES SUCH  
 AS PRODUCT BROKERAGE  
 Dettinger et al.

Pages: 2 (including cover sheet)

## MESSAGE/COMMENTS

Confirmation copy will not follow.

The information in this facsimile message is ATTORNEY-CLIENT PRIVILEGED, WORK PRODUCT and/or CONFIDENTIAL INFORMATION intended only for the use of the individual or entity to whom this message is addressed. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or reproduction of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via mail. Thank you. If transmission is interrupted or of poor quality, please notify us immediately by calling (513) 241-2324 and ask for the sender's assistant. OUR FAX NUMBER IS (513) 241-6234.

**RECEIVED**  
**CENTRAL FAX CENTER****MAR 13 2007**PATENT  
ATTY. DOCKET NO. IBM/188

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Dettinger et al. Art Unit: 2145  
Serial No. : 09/871,929 Examiner: Adnan M. Mirza  
Filed : June 1, 2001  
For : PERVASIVE, DISTRIBUTED PROVISION OF SERVICES SUCH AS  
PRODUCT BROKERAGE

Mail Stop Amendment  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

*Via Facsimile*NOTICE OF REINSTATED APPEAL

Applicant hereby appeals the rejection of claims 1-64 dated December 13, 2006.

The Notice of Appeal fee of \$500.00 has previously been paid. If any deficiency needs to be made up, please apply such to Deposit Account No. 23-3000.

Respectfully submitted,

/Thomas W. Humphrey/

Thomas W. Humphrey  
Reg. No. 34,353

Wood, Herron & Evans, L.L.P.  
2700 Carew Tower  
441 Vine Street  
Cincinnati, OH 45202-2917

Voice: (513) 241-2324  
Facsimile: (513) 241-6234

Certificate of Electronic Transmission

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below.

/Thomas W. Humphrey/

March 13, 2007

Thomas W. Humphrey  
Reg. No. 34,353

Date